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Lane
Community College

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HAROLD FURCHTGOTT-ROTH

Commissioner Furchgott-Roth
Commissioner Ness
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Federal Communications Commission
445 12th St., SW
Washington, DC 20554

EX PARTE OR LATE FILED

Re: FCC 00-455, ET Docket No. 00-258, RM-9920 and 9911

16 February, 2001

Dear Commissioner:

I am writing to you on behalf of Lane Community College to express our concern about a recent Federal Communications Commission (FCC) Proposed Rule Making that will have an immediate and fateful impact on our ability to meet a growing demand among Oregon students for accessible, flexible educational opportunities. The FCC has issued a Notice of Proposed Rule Making (ET Docket No. 00-258, RM-9920 and 9911) seeking comment on a plan to relinquish Instructional Television Fixed Service (ITFS) channels to cellular phone companies for third generation (3G) mobile telephone services. This would cripple Lanes' ability to serve students of educational programming and nullifying our long-term investment in the ITFS broadcasting medium. ITFS is an important part of Lane's goal to share educational resources among schools and to provide distance learning opportunities and workforce training directly to students at home, at work, and at neighborhood learning centers. Moreover, ITFS is absolutely critical if wireless broadband is to become a reality not only for our students but also for our entire community.

Thousands of school districts, colleges, universities, and other educational organizations across the country hold ITFS licenses, many of which were issued decades ago. Recent FCC rule changes have expanded the educational power of ITFS from one-way video to interactive video, wireless broadband Internet access and advanced learning services to students and adult learners in classrooms, homes and workplaces. ITFS now offers educational institutions throughout the country an affordable high-speed on-ramp to the Internet, a mission that was recently cited as the first priority for policymakers by the bipartisan Congressional Web-Based Education Commission. In addition, fixed wireless broadband promises to bring a competitor to DSL and cable modem technologies to our community, making broadband access not only more widely available but also more affordable.

Lane Community College has for the past 22 years been at the forefront of advancing new learning services made possible by recent FCC rule changes and we have invested a great deal of time and resources to develop the ITFS spectrum for educational outreach in Oregon. *Lane Community College is* an active member of the Oregon Wireless Instructional Network (Oregon WIN), a consortium of nine universities and community colleges that operates a multi-channel ITFS network in Oregon's Willamette Valley capable of serving over 65% of Oregon's population. The consortium (see attached list of participates) operates under an Intergovernmental Agreement, is governed by a seven-member board, and works closely with other educational ITFS licensees throughout Oregon.

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Oregon WIN was formed in 1993 for the purpose of jointly developing the ITFS spectrum in Oregon as a much needed "last mile" network solution. The consortium recently completed a $1.8 million network after spending years filing for ITFS licenses, building the consortium, issuing a national RFP for a commercial partner to develop the spectrum and designing an interconnected, shared network. Oregon WIN operates three ITFS transmission sites in Eugene, Salem and Portland, with multiple, two-way microwave paths. This flexible system allows the delivery of a diverse range of programs including live interactive courses, telecourses, information boards, and cultural events. Oregon WIN members, participating members, and associated institutions offer over 2500 distance learning courses in 65 degree programs (http://oregonone.org) to over 29,000 students per year. The Oregon WIN ITFS network is of growing importance in meeting Oregon's distance education needs. With the imminent rollout of two-way broadband data services over the ITFS spectrum, Oregon WIN will provide the full range of video, data and Internet services critical to quality distance education programs and services provided by Oregon's universities and community colleges.

In addition to meeting important, "last mile" networking needs, ITFS is attractive because system development occurs by partnering with the private sector. Through an excess capacity lease agreement with Sprint Corporation, Oregon WIN members are able to focus their resources on educational programming and services and not on telecommunication infrastructure development and operations. FCC rulings over the past ten years have greatly improved the ability for educators and commercial operators to form successful partnerships in the development of the ITFS spectrum. Working in conjunction with wireless communications companies, ITFS is helping to bring broadband to under-served populations in rural, urban and otherwise isolated communities nationwide.

If the FCC reallocates any part of the ITFS spectrum for 3G mobile device services, the Oregon WIN partnership and network will collapse. Oregon WIN members would either lose their ITFS service altogether or face new equipment costs, service disruption and signal interference. In addition, Oregon WIN would lose our partnership with the private sector and face the prohibitive costs of re-building and operating the network. The spectrum would no longer be available for advanced wireless broadband services to the educational community and to under served communities nationwide.

As a result of the critical need in Oregon for "last mile," broadband services and our extensive planning and financial investment in developing the ITFS spectrum for educational outreach, Lane College strongly oppose any reallocation of the ITFS spectrum to 3G mobile device services. Reallocation under FCC Notice of Proposed Rule Making (ET Docket No. 00-258, RM-9920 and 9911) is counter to recent FCC rulings which allow educators to fully and effectively develop the spectrum for educational use, and is counter to many local, state and national reports calling for increased access to broadband services to provide educational opportunities to students anywhere, at anytime. If the ITFS spectrum is compromised, these public benefits will be lost. We at Lane Community College request your support of our efforts in maintaining the integrity of our spectrum and in keeping this tremendous educational resource alive and well. Thank you for your support.

Sincerely,

Robert Vogel – Director of Instructional Technology Support Services
Lane Community College
Eugene, Oregon, 97405

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